

**NOTICE RE TELEPHONIC APPEARANCE PROCEDURES FOR  
EASTERN DIVISION (Jackson) CASES  
EFFECTIVE JULY 1, 2009**

**(\*updated May 14, 2012)**

**I. POLICY GOVERNING TELEPHONIC APPEARANCES**

Telephonic appearances are allowed in all matters in the Eastern Division of the Western District of Tennessee that involve scheduling conferences, pre-trial conferences or uncontested matters. Counsel **MAY NOT** appear telephonically in contested matters, trials and/or evidentiary hearings (all counsel and all witnesses must appear in person) and such other matters as designated by the Court as requiring a personal appearance.

**Prior to calling CourtCall** to schedule a telephonic appearance, **you must obtain APPROVAL** for the appearance from the Courtroom Deputy for the Judge assigned to the case. Approval for appearing telephonically may not be obtained more than 7 days prior to the hearing (see section II(2)).

No telephonic appearance will be allowed unless it is made through **CourtCall**, an independent conference call company, pursuant to the procedures set forth in Section II. If an individual schedules a telephonic appearance and then fails to respond to the call of a matter on calendar, the court may pass the matter or may treat the failure to respond as a failure to appear. Scheduling simultaneous telephonic appearances in multiple courts does not excuse a failure to appear.

Individuals making use of the conference call service are cautioned that they do so at their own risk. Hearings generally will not be rescheduled due to missed connections.

If a matter scheduled through CourtCall is continued, the CourtCall appearance **WILL NOT** be continued. It will be the attorney's responsibility to call the appropriate Courtroom Deputy to obtain approval to appear telephonically for the continued hearing. The attorney will then need to contact CourtCall in accordance with the procedures as set forth in section II.

**II. SCHEDULING A TELEPHONIC APPEARANCE.**

- 1. Contact the appropriate Courtroom Deputy to obtain approval for your telephonic appearance:**

<b>Judge Delk cases:</b>	<b>Collette Vaughn</b>	<b>901-328-3570</b>
<b>Judge Emerson cases:</b>	<b>Jenifer Joiner</b>	<b>901-328-3573</b>

If you call CourtCall without obtaining prior approval from the appropriate Courtroom Deputy, your telephonic appearance will not be allowed.

Requests for telephonic appearances should be made prior to noon the day before the scheduled hearing. Requests made after 12 p.m. may not be approved.

2. Once approval is obtained from the Courtroom Deputy, you may contact CourtCall at **(866) 582-6878** to set up your telephonic appearance. CourtCall will require you to give them the case number **and the proceeding number** for the matter you are scheduling telephonically.

Parties wishing to appear telephonically are **required** to contact CourtCall at least one day prior to the scheduled telephonic appearance. The only exception will be if permission to appear telephonically is being granted in the case of an emergency hearing.

### **III. PROCEDURE FOR TELEPHONIC APPEARANCE.**

Court Call will provide counsel with written confirmation of a telephonic appearance, and give counsel a number to call to make the telephonic appearance. It is counsel's responsibility to dial into the call not later than 10 minutes prior to the scheduled hearing.

**CourtCall does not place a call to counsel.**

The initial charge per participant for a CourtCall appearance is \$30 for the first 45 minutes you are connected. For each additional 15 minute increment the charge is \$7.50. If you do not timely call and connect with the Court Call operator, you will be billed for the call and the hearing may proceed in your absence.

Telephonic appearances are connected directly with the courtroom's public address system and electronic recording equipment so that a normal record is produced. To ensure the quality of the record, the use of car phones, cellular phones, speaker phones, public telephone booths, or phones in other public places is prohibited except in the most extreme emergencies. Participants should be able to hear all parties without difficulty or echo.

At the time of your hearing, you may initially be in the listening mode in which case you will be able to hear the case before yours just as if you were in the courtroom. After your call is connected to the courtroom, the Judge will call the case, request appearances, and direct the manner in which the hearing proceeds. Each time you speak, you should identify yourself for the record. The court's teleconferencing system allows more than one speaker to be heard so the Judge can interrupt a speaker to ask a question or redirect the discussion. When the Judge informs the participants that the hearing is completed, you may disconnect and the next case will be called.

Telephonic appearances by multiple participants are only possible when there is compliance with every procedural requirement. Sanctions may be imposed when there is any deviation from the required procedures or the Court determines that a person's conduct makes telephonic appearances inappropriate. Sanctions may include dropping a matter from calendar, continuing the hearing, proceeding in the absence of an unavailable participant, a monetary sanction, and/or a permanent prohibition against a person appearing telephonically.